

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

CHARLOTTE V. MUHA, and
MARY CAJSKI,

Plaintiffs,

v.

Case No. 05-C-0940

ENCORE RECEIVABLE MANAGEMENT, INC.,

Defendant.

ORDER

On October 30, 2006, the plaintiffs filed a motion to compel discovery, seeking a complete class list and all documents relating to the defendant's *bona fide* error defense. In a November 2, 2006 letter, the plaintiffs withdrew their motion as it pertains to the class list because the defendant produced the class list. On November 3, 2006, the defendant indicated that it served plaintiffs with supplemental disclosures contemporaneously with the response brief and that it has produced all documents relevant to claims and defenses in this case. Based upon these filings, the court denies the plaintiffs' motion to compel as moot.

The plaintiffs filed a motion for an enlargement of the discovery and dispositive motion deadline. The plaintiffs state that they must depose an employee of the defendant and that they expect the defendant to produce additional documents. The latter concern is moot because the defendant indicates that it has produced all the documents relevant to this case. (Def.'s Br. 2, Nov. 3, 2006.) If the plaintiffs have not already done so, they may depose the referenced employee on or before

November 30, 2006. In all other respects, the court will deny the plaintiffs' motion; the dispositive motion deadline shall remain December 30, 2006. (See Order, Jan. 6, 2006.)

Finally, defense counsel wrote a letter to the court concerning the plaintiffs' proposed class notice. If the parties have not already done so, they should attempt to resolve any disagreements over the language of the proposed class notice. If the parties are unable to reach agreement, the defendant may file a formal motion with an accompanying legal memorandum consistent with the local rules of this court.

Accordingly,

IT IS ORDERED that plaintiffs' motion to compel be and the same is hereby **DENIED** as moot;

IT IS FURTHER ORDERED that plaintiffs' motion for an enlargement of time to file dispositive motions be and the same is hereby **DENIED**.

Dated at Milwaukee, Wisconsin, this 7th day of November, 2006.

BY THE COURT:

s/J.P. Stadtmueller
J.P. STADTMUELLER
U.S. District Judge